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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ANDREW D. FIRLIK *ET AL.*

APPLICATION No.: 09/802,808

FILED: MARCH 8, 2001

FOR: **METHODS AND APPARATUS FOR
EFFECTUATING A LASTING CHANGE IN
A NEURAL-FUNCTION OF A PATIENT**

EXAMINER: RODERICK D. BRADFORD

ART UNIT: 3762

CONF. No: 8272

Amendment in Response to Restriction Requirement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 15, 2003, please amend the application as follows.

In the Claims

Please cancel claims 1-123 without prejudice.

REMARKS

In the above referenced Office Action, the Examiner divided the claims into Group I (claims 1-123) and Group II (claims 124-167). The Examiner further requested an election of one of the following patentably distinct species: (a) Species 1 to stimulation sites on the brain (Figs. 1-8 and 14-24); (b) Species 2 to apparatus with an implantable support member (Figs. 9-13 and 31-40); and Species 3 to apparatus with a mechanical biasing element (Figs. 25-30).

The applicants elect without traverse Species 1 of Group II, which includes claims 124-167. Non-elected claims 1-123 have been canceled. Accordingly, please begin prosecution with examination of claims 124-167.